

**REMARKS**

In the Office Action<sup>1</sup>, the Examiner rejected claims 1, 2, 4, 5, 7, 9, 11-15, 17-19, 21, and 22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,082,454 to Gheith ("*Gheith*") in view of U.S. Patent No. 7,331,038 to Snodgrass et al. ("*Snodgrass*").

By this response, Applicants amend claims 1, 9, 14, and 18.

**I. Rejection of Claims 1, 2, 4, 5, 7, 9, 11-15, 17-19, 21, and 22 under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 1, 2, 4, 5, 7, 9, 11-15, 17-19, 21, and 22 as being unpatentable over *Gheith* in view of *Snodgrass*. A *prima facie* case of obviousness has not been established.

"The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. . . . [R]ejections on obviousness cannot be sustained with mere conclusory statements." M.P.E.P. § 2142, 8th Ed., Rev. 7 (July 2008)(internal citation and inner quotation omitted). "[T]he framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). . . . The factual inquiries . . . [include determining the scope and content of the prior art and] . . . [a]scertaining the differences between the claimed invention and the prior art." M.P.E.P. § 2141(II). In rejecting a claim, "Office personnel must explain why the

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<sup>1</sup>The Office Action contains a number of statements reflecting characterizations of the related art, case law, and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.” M.P.E.P. § 2141(III).

Claim 1 recites a computer program product comprising instructions to, for example, “pre-process, while [a] user interface is in [a] current user interface state, [] selected future user interaction events to generate one or more future user interface states, the future user interface states comprising one or more future properties of [] controls in the current user interface state” (emphasis added). *Gheith* fails to teach or suggest at least these elements of claim 1.

*Gheith* discloses “[a] dynamic content caching framework that encodes dynamically created documents with a filename that is derived from the state information describing the contents of the document . . . .” (*Gheith*, abstract). “Radio buttons allow [a] user to select between category 1 and category 2 . . . .” (*Gheith*, col. 4, lines 28-29). “[O]ther selections can be made via [a] pop-up menu, clicking on images, or other graphical user interface (GUI) elements (e.g., check boxes, slides, buttons, text entry boxes, etc., not shown) . . . .” (*Gheith*, col. 4, lines 34-37). “[D]ifferent combinations will be used to configure [a] product, and thus are needed to determine the content of a subsequent web page (e.g., an image of an automobile having the selected options, or a new series of configuration options that depend on the selections made in [the] web page).” (*Gheith*, col. 4, lines 47-52). “Subsequent states are computed . . . based on [] extracted state information.” (*Gheith*, col. 6, lines 37-38). “Based on the state information extracted from [a] URL . . . , or obtained by look-up . . . , [a] presentation is computed . . . . This process is typically performed by content

production, and may include one or more interim steps, such as generating XML code and then using a style sheet . . . to produce HTML.” (*Gheith*, col. 7, lines 3-9).

The Office Action asserts that the “web page” of *Gheith* corresponds to the claimed “current user interface state” and the “subsequent states” of *Gheith* correspond to the claimed “future user interface states.” (Office action at pages 4-5). The Office Action also asserts that *Gheith*’s disclosure of “[s]ubsequent states [being] computed” and “interim steps, such as generating XML code and then using a style sheet . . . to produce HTML” constitute a teaching of “generat[ing] . . . future user interface states,” as recited in claim 1. (*Id.*). However, even if these assertions are correct, which Applicants do not concede, *Gheith* fails to teach or suggest the above-quoted elements of claim 1 as amended.

Although *Gheith*’s “graphical user interface (GUI) elements,” such as “[r]adio buttons,” “pop-up menu,” “check boxes,” “slides,” “buttons,” and “text entry boxes,” may enable user input, *Gheith*’s “subsequent states” do not comprise future properties of *Gheith*’s “graphical user interface (GUI) elements” from *Gheith*’s current “web page.” Rather, *Gheith*’s “subsequent web page” may comprise “a new series of configuration options” (emphasis added). Accordingly, computing *Gheith*’s “subsequent states” and *Gheith*’s “presentation” does not constitute “generat[ing] . . . future user interface states comprising . . . future properties of the controls in the current user interface state,” as recited in claim 1 (emphasis added). Therefore, *Gheith* also fails to teach or suggest “pre-process[ing], while the user interface is in the current user interface state, the selected future user interaction events to generate one or more future user interface

states, the future user interface states comprising one or more future properties of the controls in the current user interface state,” as recited in claim 1 (emphasis added).

*Snodgrass* fails to cure the deficiencies of *Gheith*. *Snodgrass* discloses “a system in which documents are generated dynamically in response to user requests [and] historical data is collected regarding data retrieval subtasks, such as service requests that are performed to generate such documents.” (*Snodgrass*, abstract). *Snodgrass*’ system “us[es] a predictive prefetch service to identify those service requests that are likely to be made as part of a page generation task.” (*Snodgrass*, col. 3, lines 56-58). “The service requests identified by the prefetch service as being probable are then made ‘preemptively’ at or near the outset of the page generation task, rather [than] waiting for requests to other content services to be completed.” (*Snodgrass*, col. 3, lines 62-66).

The Office Action asserts that the “user requests” of *Snodgrass* constitute the claimed “user input.” (Office Action at page 5). However, even if this assertion is correct, which Applicants do not concede, *Snodgrass* fails to teach or suggest the above-quoted elements of claim 1 as amended.

*Snodgrass* does not disclose future properties of controls that enable *Snodgrass*’ “user requests.” Therefore, *Snodgrass* also fails to teach or suggest “pre-process[ing], while the user interface is in the current user interface state, the selected future user interaction events to generate one or more future user interface states, the future user interface states comprising one or more future properties of the controls in the current user interface state,” as recited in claim 1 (emphasis added).

In view of the above, the Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the claimed invention and the prior art. For at least these reasons, no *prima facie* case of obviousness has been established. The rejection of claim 1, and dependent claims 2, 4, 5, 7, 9, 11-13, and 22, under 35 U.S.C. § 103(a) as being obvious from *Gheith* in view of *Snodgrass* is thus improper and should be withdrawn.

Independent claims 14 and 18, though of a different scope from claim 1, recite elements similar to those set forth above for claim 1. Claims 14 and 18 are therefore allowable for at least reasons similar to those presented above with respect to claim 1. Claims 15, 17, 19, and 21 are also allowable at least due to their dependence from claims 14 and 18.

## **II. Conclusion**


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge  
any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

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By:   
Robert E. Converse, Jr.  
Reg. No. 27,432